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Chairman King Introduces Border Security Bill

Will Establish Operational Control of Borders, End "Catch and Release" Practice

Washington, D.C. (Tuesday, Nov. 15, 2005)—Last night, House Homeland Security Committee Chairman Peter T. King (R-NY) introduced H.R. 4312, The Border Security and Terrorism Prevention Act of 2005. The bipartisan bill takes steps to enhance security along America's borders and ensure the removal of all aliens who attempt to enter the United States illegally.

Subcommittee for Economic Security, Infrastructure Protection, and Cybersecurity Chairman Dan Lungren (R-CA) and Subcommittee Ranking Member Loretta Sanchez (D-CA) are original cosponsors of the legislation.

"The terrorist attacks of Sept. 11th made it clear that our nation must be more aggressive in preventing terrorists from entering the United States," King said. "This bill recognizes the need to bolster our border security capabilities by authorizing more funding for Border Patrol agents, utilizing physical barriers and state-of-the-art technologies, and promoting international policies that will help deter illegal immigration and protect valid claims of asylum.

"We must establish operational control of our borders and swiftly remove illegal immigrants once they arrive," he continued. "And the time to act is now."

King explained that the primary provisions of the Border Security and Terrorism Prevention Act include:

Establishing Operational Control of All Borders and Ports:

- Requires the U.S. Department of Homeland Security (DHS) and the U.S. Department of Defense (DOD) to develop a joint strategic plan that will provide the Border Patrol agents with military support and increase use of DOD surveillance;
- Mandates DHS to conduct comprehensive risk assessments of all ports of entry and international land and maritime borders to prevent the entry of terrorists and weapons;

- Authorizes 1,000 new, full-time port of entry inspectors over the next four years and the training of 1,500 additional K-9 units over the next five years;
- Re-authorizes the addition of 8,000 new border agents and 32,000 new detention beds over the next four years, in accordance with the Intelligence Reform and Terrorism Prevention Act of 2004; and
- Establishes physical barriers and incorporates widespread, state-of-the-art surveillance technology, including cameras, sensors, radar, satellite, and Unmanned Aerial Vehicles (UAVs), in order to ensure 100% coverage of our borders.

Elimination of the “Catch and Release” Practice:

- Requires mandatory detention for all aliens apprehended at U.S. land borders attempting to cross illegally, by Oct. 1, 2006;
- Prior to that deadline, aliens who are released pending an immigration removal hearing must post bond of at least \$5,000; and
- Requires DHS to use every available detention bed and find new detention space through contracting with state and local jails.

Effectively Organizing the Border Security Agencies Within DHS:

- Requires the Secretary take immediate action to address the inefficiencies and poor communication between the two main border security agencies within DHS, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP); and
- Places Air and Marine Operations (AMO) directly under the authority of the Secretary, eliminating current bureaucracy and allowing for a more flexible, coordinated air program capable of providing tracking, deterrence, rapid response, and investigative support to multiple DHS agencies.

Promoting International Policies to Deter Illegal Immigration:

- Requires DHS to report to Congress on the progress of cross-border security agreements signed between Mexico and Canada and the United States, including the Smart Border Accord and the Security Partnership for Prosperity;
- Authorizes the refusal of visas to foreign nationals from countries that deny or delay the repatriation of their own citizens; and
- Protects valid claims of asylum through a review of the current Border Patrol training protocol, implementing additional and periodic training for all Border Patrol agents and port of entry inspectors.

“The so-called ‘catch and release’ practice in particular represents a very real danger to our homeland security efforts,” King said. “This year alone, approximately 115,000 illegal aliens from countries other than Mexico—or ‘OTMs’—have been apprehended by the Border Patrol, only to be released due to a lack of detention space. That includes foreign nationals from all over the globe, including the Middle East. This practice must come to an end.”

The bill is scheduled to be marked up by the House Committee on Homeland Security this week.

“Overall, the bill takes several important steps to protect our nation against future attacks,” he concluded. “I look forward to working with my colleagues on both sides of the aisle to enact this comprehensive piece of legislation that will better secure our homeland.”

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